

**SUPREME COURT MINUTES  
FRIDAY, OCTOBER 3, 2003  
SAN FRANCISCO, CALIFORNIA**

**S118523**

B155132 Second Appellate District,  
Division Three

PEOPLE v. WHITAKER

Petition ordered withdrawn

Pursuant to written request of petitioner the above-entitled request for publication is ordered withdrawn.

**S026634**

PEOPLE v. WATKINS (PAUL SODOA)

Extension of time granted

to December 8, 2003 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S036864**

PEOPLE v. GUERRA (JOSE F.)

Extension of time granted

to December 5, 2003 to file respondent's brief. After that date, only one further extension totaling 60 additional days is contemplated. Extension is granted based upon counsel Alene M. Games's representation that she anticipates filing that brief by 1/30/2004.

**S037625**

PEOPLE v. HARRIS (LANELL)

Extension of time granted

to December 8, 2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S040704**

PEOPLE v. JOHNSEN (BRIAN D.)

Extension of time granted

to December 2, 2003 to file appellant's opening brief. Extension is granted based upon counsel Richard P. Stookey's representation that he anticipates filing that brief by 12/2/2003. After that date, no further extension will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S041008**

PEOPLE v. HOYOS (JAIME A.)

Extension of time granted

to October 14, 2003 to file appellant's opening brief. Extension is granted based upon counsel Lisa R. Short's representation that she anticipates filing that brief by 10/14/2003. After that date, no further extension will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S042278**

PEOPLE v. SAMUELS (MARY ELLEN)

Extension of time granted

to December 3, 2003 to file appellant's reply brief. Extension is granted based upon counsel Joel Levine's representation that he anticipates filing that brief by 12/3/2003. After that date, no further extension will be granted.

**S050851**

PEOPLE v. DYKES (ERNEST E.)

Extension of time granted

to November 3, 2003 to file appellant's reply brief. Extension is granted based upon counsel Karen L. Landau's representation that she anticipates filing that brief by 11/3/2003. After that date, no further extension will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and take all steps necessary to meet it.

**S074429**

PEOPLE v. QUARTERMAIN (DRAX)

Extension of time granted

to December 3, 2003 to file appellant's reply brief. Extension is granted based upon Supervising Deputy State Public Defender Wilbur H. Haines III's representation that he anticipates filing that brief by 12/3/2003. After that date, no further extension will be granted.

**S112862**B152928 Second Appellate District,  
Division One

GRAHAM v. DAIMLERCHRYSLER

Extension of time granted

On application of amicus curiae Washington Legal Foundation and good cause appearing, it is ordered that the time to serve and file its amicus curiae brief in support of Appellants DaimlerChrysler Corporation et al. herein is extended to and including November 10, 2003. An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

**S112862**B152928 Second Appellate District,  
Division One

GRAHAM v. DAIMLERCHRYSLER

Extension of time granted

On application of amicus curiae Consumers Union of U. S., Inc. and good cause appearing, it is ordered that the time to serve and file its

amicus curiae brief in support of respondents Robert Graham et al. herein is extended to and including November 10, 2003. An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

**S114551**

STEELE (RAYMOND) ON H.C.  
Extension of time granted

to October 29, 2003 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling 30 additional days will be granted. Extension is granted based upon counsel Gregory Marshall's representation that he anticipates filing that document by 11/21/2003.

**S115559**

MORRISON (JESSE) ON H.C.  
Extension of time granted

to November 6, 2003 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Attorney General Juliet H. Swoboda's representation that she anticipates filing that document by 11/6/2003. After that date, no further extension will be granted.

**S116805**

CAIN (TRACY DEARL) ON H.C.  
Extension of time granted

to October 28, 2003 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Federal Public Defender C. Renee Manes's representation that she anticipates filing that document by 10/28/2003. After that date, no further extension is contemplated.

**S032146**

PEOPLE v. DANKS (JOSEPH)  
Order filed

The request of appellant for 45 minutes for oral argument is granted.

**S117701**

JOHNSTON ON DISCIPLINE  
Recommended discipline imposed

It is ordered that **Dennis Harry Johnston, State Bar Number 82017**, be suspended from the practice of law in the State of California for two years and until he shows proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice, and present learning and ability in the general law in accordance with standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the two-year suspension be stayed, and that he be placed on probation for five years on the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on May 21, 2003. Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

**S117704**

POLLACK ON DISCIPLINE  
Recommended discipline imposed

It is ordered that **Nicholas Pollack, State Bar Number 171692**, be suspended from the practice of law in the State of California for one year; that execution of the one-year suspension be stayed; and that he be placed on probation for two years on the conditions of probation, including thirty days' actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on May 29, 2003. Pollack is ordered to take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order

and to provide satisfactory proof of his passage of that examination to the State Bar's Probation Unit in Los Angeles within that same year. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar, and one-half of the costs shall be added to and become a part of Pollack's annual State Bar membership fees for the years 2004 and 2005. (Bus. & Prof. Code, § 6086.10.)

**S117706****RUPPRECHT ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **MICHAEL W. RUPPRECHT, State Bar No. 62595**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed on May 19, 2003. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S119438****HAGGERTY ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **JOHN MICHAEL HAGGERTY, State Bar No. 66071**, as a member of the State Bar of

California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S119439**

**GORDON ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **SYDNEY JACK GORDON, State Bar No. 47916**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S119440**

**HOWLETT ON RESIGNATION**

The voluntary resignation of **Stafford Clifton Howlett, State Bar No. 61559**, as a member of the State Bar of California is accepted.

**S119441**

**MCKEE ON RESIGNATION**

The voluntary resignation of **Larry Gene McKee, State Bar No. 45573**, as a member of the State Bar of California is accepted.

**S119448**

MITTRICK ON RESIGNATION

The voluntary resignation of **John Barry Mittrick, State Bar No. 45645**, as a member of the State Bar of California is accepted.

**S119450**

REYNOLDS ON RESIGNATION

The voluntary resignation of **WAYNE REYNOLD REYNOLDS, State Bar No. 122158**, as a member of the State Bar of California is accepted.

**S119451**

SUTTON ON RESIGNATION

The voluntary resignation of **STUART ALLEN SUTTON, State Bar No. 100338**, as a member of the State Bar of California is accepted.



